

**PRE-MEETING AGENDA
MOUNTAIN BROOK CITY COUNCIL**

**CITY COUNCIL CHAMBER (A108)
56 CHURCH STREET
MOUNTAIN BROOK, AL 35213**

AUGUST 28, 2023 6:30pm

As a matter of convenience, members of the public are invited to listen, observe and participate in public meetings by Internet video conference. Presenters and others interested in a particular matter for discussion are encouraged to attend the meeting in-person. The City is not responsible for technical issues that may occur that interfere with the virtual meeting. The City Council, at its sole discretion, may proceed with its in-person business meeting regardless of whether virtual attendees can hear and/or observe the proceedings. The City intends to make the meeting available by way of the Zoom app (re: Meeting ID 801-559-1126, password 08282023).

1. Update on Library repairs-Lindsay Gardner
2. Appointment of a City Prosecutor-Billy Pritchard (See attached information. This item may be added to the formal agenda.)
3. Review of making Winthrop Avenue “One-Way” during school drop-off and pick-up hours-Chief Loggins (See attached information.)
4. Change Order for Jemison Trail project-Joel Eliason with Nimrod Long and Associates (See attached information. This may be added to the formal agenda.)
5. Executive Session



CITY OF MOUNTAIN BROOK

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Memorandum

Date: August 22, 2023
To: Mayor/City Council
Subject: Prosecutor Pay
From: Heather Richards, City Clerk

A committee was formed to select our next Prosecutor due to Mr. Bramer's retirement. A discussion was had regarding the pay for this position. Mr. Bramer was paid at a rate of \$152.00 an hour (billed around \$55,000 annually). Polling our surrounding jurisdictions for Prosecutor rate of pay yielded the following results:

- Vestavia – Flat rate of \$36,033 annually and \$75 an hour for appeals
- Trussville - \$225 an hour
- Homewood – Flat rate of \$50,000 annually, an hourly rate for appeals (typically bills \$15,000-\$20,000)

The committee expressed an interest in increasing the pay for this position from \$152.00 an hour to \$175.00 an hour. Assuming the new prosecutor bills the same amount of hours, it would be around an \$8,000 increase annually. The FY2022 revenue received for the court totaled \$455,761.40 and the expenses totaled \$327,230.44.

The committee is recommending Ross Self to be appointed to the Prosecutor position for the City of Mountain Brook. It is also the committee's desire to have Andrea Graham substitute for Ross Self should the need ever arises. The committee would also like to recommend Matthew Griffin to fill the vacant position of court appointed attorney that will be vacated by Ross Self upon his appointment to the Prosecutor position.

Winthrop Avenue

We observed conditions on Winthrop Avenue from 2:20 p.m. to 3:25 p.m. on Friday, August 18, 2023 related to after-school pick-up for Mountain Brook Junior High School. Our observations included the number of vehicles parked along Winthrop Avenue waiting to pick up students, the side the vehicles were parked on, and the direction the vehicles were facing. The following table shows the data collected.

<i>Time</i>	<i># of Vehicles</i>	<i>Side of Winthrop Ave.</i>	<i>Direction of Travel</i>	<i>Notes</i>
2:22 p.m.	1	All on south side	All facing toward school	
2:26 p.m.	0			
2:30 p.m.	0			
2:41 p.m.	0			
2:54 p.m.	3	All on south side	All facing toward school	
2:59 p.m.	3	All on south side	All facing toward school	
3:05 p.m.	5	All on south side	All facing toward school	
3:09 p.m.	5	All on south side	All facing toward school	
3:11 p.m.	9	All on south side	All facing toward school	
3:15 p.m.	10	All on south side	9 facing toward school 1 facing away from school	
3:20 p.m.	12	11 on south side 1 on north side	10 facing toward school 1 facing away from school	Cars beginning to move out
3:25 p.m.	0			

The following series of pictures shows the conditions on Winthrop Avenue at 3:15 p.m.







Throughout the duration of observation there was always a clear lane open on Winthrop Avenue. During the 3:20 p.m. observation, the one vehicle parked on the north side of Winthrop Avenue was parked well past the stack of cars on the south side close to school, as shown in the following picture:



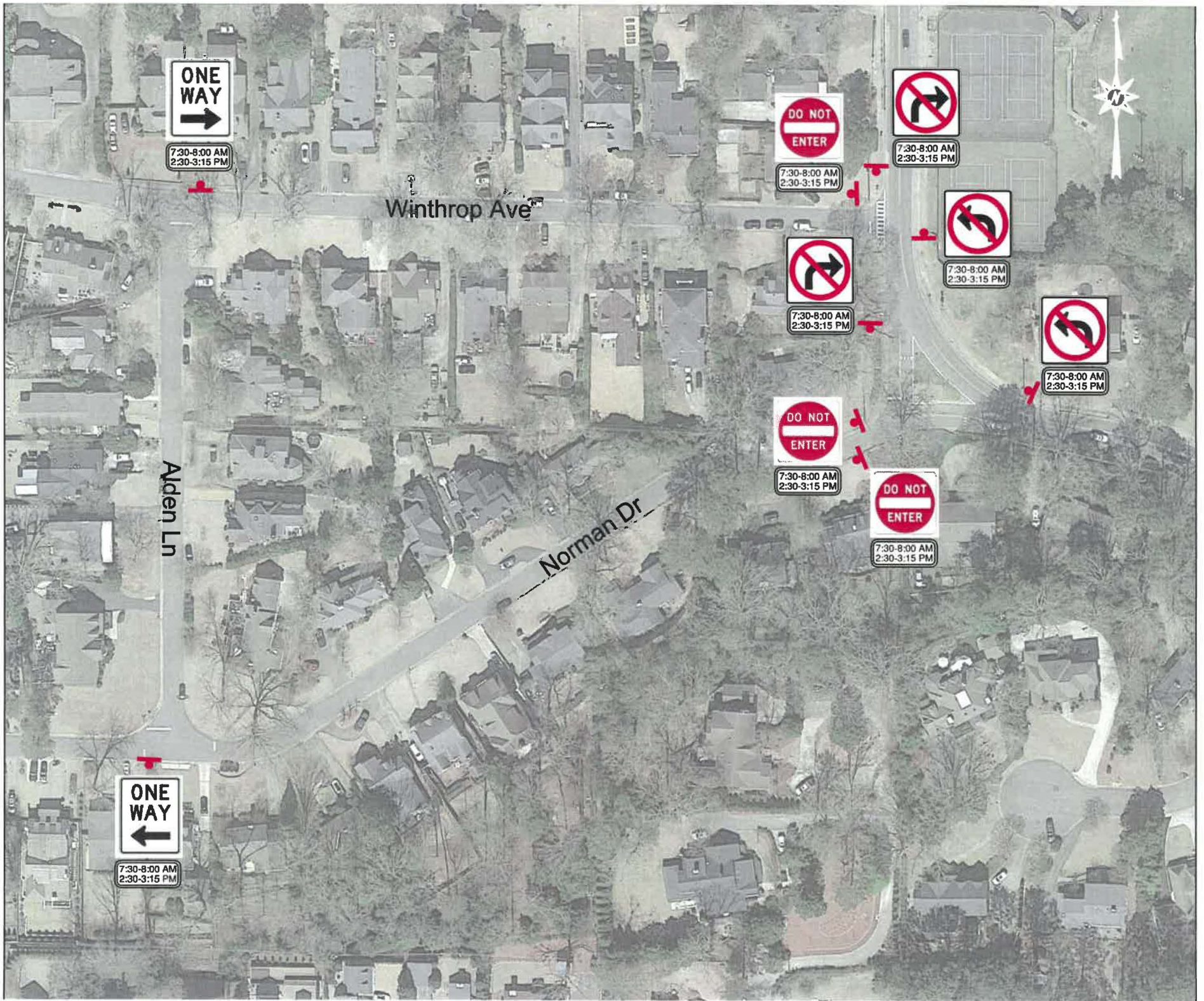
During the 12 trips we made circling the block, we only encountered one vehicle attempting to travel westbound on Winthrop Avenue (away from the school) while we were traveling eastbound (toward the school) and passing the line of parked vehicles.

In summary, there is a period of time of approximately 11 minutes when there are enough vehicles parked along Winthrop Avenue where the roadway is effectively narrowed to the point where only one-way traffic is possible. This begins when the queue of parked vehicles extended from 5 vehicles to 9 vehicles. When the queue was 5 vehicles or less, it was possible to successfully navigate two way traffic. However, when the queue extended to 9 vehicles, there was little opportunity for two moving cars to successfully pass each other.

Of far greater concern should be the situation with vehicles parking on Norman Drive. As shown in the pictures below, vehicles were parked on both sides of Norman Drive and it was almost impossible to pass between the parked vehicles. Any vehicle larger than the pickup truck we were driving could not have passed between the parked vehicles.



The situation with afternoon pick-up at MJBH is similar to many other schools in the Mountain Brook system – there is insufficient on-site storage for the pick-up, and this results in queuing of vehicles on the public roadways. If we prohibit parking on one roadway, parents will just relocate to a different part of the public roadway system. However, with the situation on Norman Drive, we should have a further discussion on measures we could implement to encourage all parents to park on one side of the roadway.



ONE WAY
→

7:30-8:00 AM
2:30-3:15 PM

Winthrop Ave

DO NOT ENTER

7:30-8:00 AM
2:30-3:15 PM

No Right Turn

7:30-8:00 AM
2:30-3:15 PM

No Right Turn

7:30-8:00 AM
2:30-3:15 PM

No Right Turn

7:30-8:00 AM
2:30-3:15 PM

No Right Turn

7:30-8:00 AM
2:30-3:15 PM

DO NOT ENTER

7:30-8:00 AM
2:30-3:15 PM

DO NOT ENTER

7:30-8:00 AM
2:30-3:15 PM

Aden Ln

Norman Dr

ONE WAY
←

7:30-8:00 AM
2:30-3:15 PM



AIA®

Document G701® – 2017

Change Order

PROJECT: *(Name and address)*
Jemison Trail
Mountain Brook, AL

CONTRACT INFORMATION:
Contract Fo.: General Construction
Date: May 22, 2023

CHANGE ORDER INFORMATION:
Change Order Number: 002
Date: August 25, 2023

OWNER: *(Name and address)*
The City of Mountain Brook
56 Church Street
Mountain Brook, AL 35213

ARCHITECT: *(Name and address)*
Nimrod Long and Associates, Inc.
880 Montclair Road, Ste 235
Birmingham, AL 35213

CONTRACTOR: *(Name and address)*
C.S. Beatty Construction, Inc.
1 Civitan Place
Birmingham, AL 35213

THE CONTRACT IS CHANGED AS FOLLOWS:

(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)

See Exhibit A, attached for a description of Contract Changes.

The original Contract Sum was	\$	<u>3,330,735.00</u>
The net change by previously authorized Change Orders	\$	<u>-336,900.00</u>
The Contract Sum prior to this Change Order was	\$	<u>2,993,835.00</u>
The Contract Sum will be increased by this Change Order in the amount of	\$	<u>156,927.00</u>
The new Contract Sum including this Change Order will be	\$	<u>3,150,762.00</u>

The Contract Time will be unchanged by Zero (0) days.
The new date of Substantial Completion will be unchanged.

NOTE: This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Nimrod Long and Associates, Inc.

ARCHITECT *(Firm name)*

SIGNATURE

Joel Eliason, President

PRINTED NAME AND TITLE

8.25.23

DATE

C.S. Beatty Construction, Inc.

CONTRACTOR *(Firm name)*

SIGNATURE

Craig S Beatty, Resident

PRINTED NAME AND TITLE

August 25, 2023

DATE

The City of Mountain Brook

OWNER *(Firm name)*

SIGNATURE

PRINTED NAME AND TITLE

DATE



Description		Item	Quantity	Unit	Add/Deducts	Total
1	Install stacked moss rock headwalls	Labor & Equipment for Installing Stacked Moss Rock Headwalls	1	LS	\$ 125,000.00	\$ 125,000.00
		a. Price includes sand, mortar, 8910 base, and 57 stone backfill.				
		b. To be billed according to percent complete.				
		Credit for Precast Headwalls with Stone Veneer	1	LS	\$ (140,908.00)	\$ (140,908.00)
	Moss rock for headwalls	Stacked Moss Rock Delivered (based on 120 tons)	120	Ton	\$ 215.00	\$ 25,800.00
		a. Billed amount based on tons delivered.				
		b. Additional change order required if amount exceeds 120 tons.				
	Install sandstone rip rap instead of moss rock	Rip Rap Outlet Protection - Delivered and Installed (based on 300 tons)	300	Ton	\$ 175.00	\$ 52,500.00
		a. Billed amount based on tons delivered.				
		b. Additional change order required if amount exceeds 300 tons.				
Credit for #34 Moss Rock Rip Rap		1	LS	\$ (96,250.00)	\$ (96,250.00)	
					Credit = \$	(33,858.00)
2	Identify cost to change 115 l.f. of 9' wide concrete trail adjacent to bridge sidewalk indicated on Sheet SL-4 to 9' wide asphalt trail.	Concrete Credit (per contract)	1,035	SF	\$ (12.28)	\$ (12,709.80)
		8" Concrete Turndown Credit (per contract)	230	LF	\$ (3.00)	\$ (690.00)
		Asphalt (6" Base, 3" Baby Binder)	115	SY	\$ 85.00	\$ 9,775.00
3	Delete 12" wide flagstone border at planting bed adjacent to parking as indicated on Sheet SL-3 and Detail 23/SD-4.	Flagstone Border at Planting Credit (per contract)	150	LF	\$ (58.54)	\$ (8,781.00)
4	Salvage and reinstall existing drinking fountain to location shown on Sheet SL-3.	Reuse Existing Water Fountain Credit	1	LS	\$ (13,682.00)	\$ (13,682.00)
5	Delete some tree protection fence	Orange Barrier Fence (Amount in Contract)	16,558	LF		
		Orange Barrier Fence (Actual)	11,639	LF		
		Orange Barrier Fence (Credit)	4,919	LF	\$ (2.33)	\$ (11,460.69)
6	Change concrete ramp at Overbrook end of trail to asphalt as indicated on the attached drawings. (Stone Veneer & Capstone Included)	5" Sidewalk at Ramp Credit	722	SF	\$ (9.44)	\$ (6,816.10)
		6" Concrete Standup Curb at Ramp Credit	115	LF	\$ (28.98)	\$ (3,333.00)
		4" Concrete Sidewalk w/ 14" Turndown Credit	900	SF	\$ (10.00)	\$ (9,000.00)
		Handrail at Sidewalk Credit (per contract)	132	LF	\$ (194.50)	\$ (25,674.00)
		ADA Handrail @ Ramp Credit (per contract)	113	LF	\$ (239.30)	\$ (27,040.90)
		Ramp Wall & Footing Credit (per contract)	112	LF	\$ (282.10)	\$ (31,595.20)
		Asphalt (6" Base, 3" Baby Binder)	110	SY	\$ 85.00	\$ 9,350.00
		New Wall, Stone Veneer & Capstone Install	1	LS	\$ 95,000.00	\$ 95,000.00
		New Handrail	250	LF	\$ 125.00	\$ 31,250.00
		Sidewalk (Det. 3) (per contract)	900	SF	\$ 12.28	\$ 11,052.00
Rip Rap	110	Tons	\$ 175.00	\$ 19,250.00		
					Add = \$	62,442.80
7	Work Opposite Old Mill Site	Alternate No. 4 of Prime Contract	1	LS	\$ 180,240.00	\$ 180,240.00
		18" Pipe Credit (per contract)	144	LF	\$ (61.76)	\$ (8,893.44)
		Curb Box Inlet Credit	1	LS	\$ (5,455.50)	\$ (5,455.50)
					Change Order Add If Changes are Accepted =	\$ 156,927.37